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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

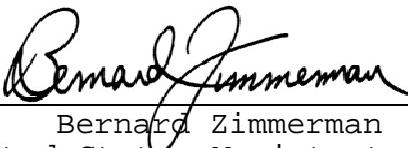
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11 JEFFREY JOHNSON, et al., )  
12 Plaintiff(s), ) No. C09-3596 CRB (BZ)  
13 v. )  
14 HEWLETT-PACKARD COMPANY, ) **ORDER RE DISCOVERY REFEREE**  
15 Defendant(s). )  
16 \_\_\_\_\_)

17 The Court intends to appoint the Honorable James L.  
18 Warren (Ret.), the only name that was approved on both lists,  
19 as discovery referee. Preliminary contact with Judge Warren  
20 suggests he is available. **IT IS THEREFORE ORDERED** that the  
21 parties approach Judge Warren to satisfy themselves as to his  
22 availability and to negotiate the terms of the order of  
23 appointment. If the parties are unable to do so, they shall  
24 immediately advise the Court and, if they are satisfied as to  
25 his availability, the Court shall issue its own order of  
26 appointment. However, the Court's experience has been that  
27 the parties are best served if they work out an agreement  
28 based on the form of agreement under which the discovery

1 referee ordinarily acts.

2 Dated: December 1, 2010

3   
4 Bernard Zimmerman  
United States Magistrate Judge

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